

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Mag. No. 11-2518 (DEA)
 :
 v. :
 :
 MALIKI FOSTER : CONTINUANCE ORDER

A criminal complaint charging the defendant with knowingly and intentionally distributing and possessing with the intent to distribute 500 grams or more of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) & (b)(1)(B), having been filed on February 28, 2011; and the defendant having appeared before the Court for an initial appearance on March 3, 2011; and the defendant having been represented by Timothy Boney, Esq.; and the defendant and his counsel being aware that an Information or Indictment ordinarily must be filed within thirty (30) days of defendant's initial appearance on this charge, pursuant to Title 18, United States Code, Section 3161(b); and, pursuant to Title 18, United States Code, Section 3161(h)(7)(A), both the United States and the defendant request this second continuance so that the parties can continue to negotiate a plea agreement and thereby avoid a possible trial; and for good cause shown;

IT IS on this 13th day of May, 2011,

ORDERED that from the date this Order is entered, to and including July 18, 2011, shall be excluded in calculating the

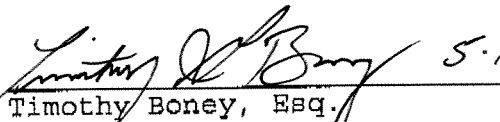
time within which an Information or Indictment must be filed under the Speedy Trial Act for the following reasons:


1. Both the United States and the defendant desire time to discuss plea negotiations, which would render any grand jury proceedings and any subsequent trial of this matter unnecessary;

2. Pursuant to Title 18, United States Code, Section 3161(h)(7)(A), the ends of justice served by granting the continuance outweigh the best interest of the public and the defendant in a speedy trial.

SEEN AND AGREED:


Jennifer Davenport
Assistant U.S. Attorney

 5.11.11
Timothy Boney, Esq.
Counsel for Maliki Foster


HONORABLE DOUGLAS E. ARPERT
United States Magistrate Judge